## Case 2:04-cv-01339-LKK-DAD Document 224 Filed 08/28/12 Page 1 of 3 1 SEYFARTH SHAW LLP DISABLED ADVOCACY GROUP, Kristina M. Launev (SBN 221335) **APLC** 2 klauney@seyfarth.com Lynn Hubbard III (SBN 69773) 400 Capitol Mall, Suite 2350 Scottlynn J. Hubbard IV (SBN 212970) 3 Sacramento, CA 95814-4428 12 Williamsburg Lane Telephone: (916) 448-0159 Chico, CA 95926 4 Telephone: (530) 895-3252 Facsimile: (916) 558-4839 Facsimile: (530) 894-8244 5 Eden Anderson (SBN 233464) eanderson@seyfarth.com Attorneys for Plaintiff Byron Chapman 6 560 Mission Street, 31st Floor San Francisco, California 94105 7 Telephone: (415) 397-2823 Facsimile: (415) 397-8549 8 Minh N. Vu (*Pro Hac Vice* pending) 9 mvu@seyfarth.com 975 F Street, N.W. 10 Washington D.C. 20004 Telephone: (202) 463-2400 Facsimile: (202) 828-5393 11 12 Attorneys for Defendant PIER 1 IMPORTS (U.S.), INC. 13 UNITED STATES DISTRICT COURT 14 EASTERN DISTRICT OF CALIFORNIA 15 16 Case No. 2:04-cv-01339-LKK-DAD 17 BYRON CHAPMAN, STIPULATION TO AMEND THE Plaintiff, 18 SCHEDULING ORDER TO CONTINUE THE TRIAL, PRE-TRIAL 19 v. CONFERENCE, PRE-TRIAL 20 PIER 1 IMPORTS (U.S.), INC., STATEMENTS DEADLINE, AND ALL ACCOMPANYING PRE-TRIAL 21 Defendant. **DEADLINES: ORDER THEREON** 22 23 24 25 26 27 28 STIPULATION TO AMEND THE SCHEDULING ORDER; [PROPOSED] ORDER THEREON

CASE NO. 2:04-CV-01339-LKK-DAD

## 1 Plaintiff Byron Chapman and Defendant Pier 1 Imports (U.S.) Inc., dba Pier 1 Imports 2 #1132 (the "Parties") enter into the following stipulation: 3 WHEREAS, trial is currently set for December 4, 2012 at 10:30 a.m.; 4 WHEREAS, a Pre-Trial Conference is set for September 4, 2012 at 1:30 p.m.; 5 WHEREAS, Joint Statements of Undisputed and Disputed Facts are due to be filed by 6 August 21, 2012; 7 WHEREAS, the Parties previously filed Pre-Trial Statements on or about June 4, 2012, 8 but have the option of filing new Pre-Trial Statements no later than, respectively, August 21, 9 2012 (Plaintiff) and August 28, 2012 (Defendant); 10 WHEREAS, on August 20, 2012, Defendant Pier 1 Imports (U.S.), Inc. substituted its 11 counsel in this matter and is now represented by a new law firm, Seyfarth Shaw, LLP 12 ("Seyfarth"); 13 WHEREAS, Seyfarth was retained on August 17, 2012 and is awaiting receipt of the case 14 files from Defendant's prior counsel; 15 WHEREAS, this case, filed in 2004, has an extensive history with more than 200 docket 16 entries; 17 WHEREAS, the attorneys at Seyfarth need time to familiarize themselves with the case so 18 as to prepare for trial, to meet and confer with Plaintiff in an effort to narrow issues and facilitate 19 efficiency at trial, and/or explore the possibility of resolving this matter without a trial; 20 /// 21 /// 22 /// 23 /// 24 /// 25 /// 26 /// 27 /// 28 14769303v.2

Case 2:04-cv-01339-LKK-DAD Document 224 Filed 08/28/12 Page 2 of 3

## Case 2:04-cv-01339-LKK-DAD Document 224 Filed 08/28/12 Page 3 of 3

1	NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
2	Parties that the trial, Pre-Trial Conference, Pre-Trial Statements Deadline and all pre-trial dates in
3	this matter be continued for at least sixty (60) days, or until a date more convenient to the Court.
4	Dated: August 21, 2012 DISABLED ADVOCACY GROUP, APLC
5	
6	By: <u>/s/</u> Scottlynn J. Hubbard IV
7	Attorneys for Plaintiff
8	(original signature retained by attorney Eden Anderson)
9	Dated: August 21, 2012 SEYFARTH SHAW LLP
10	
11	By: <u>/s/</u> Eden Anderson
12	Eden Anderson
13	ORDER
14	IT IS HEREBY ORDERED that the Parties' Stipulation to Amend the Scheduling Order
15	to Continue the Trial, Pre-Trial Conference, Pre-Trial Statements Deadline, and all accompanying
16	Pre-Trial deadlines is <b>DENIED.</b> Defendant has appealed the court's permanent injunction.
17	Accordingly, all pending dates are <b>VACATED</b> pending resolution of the appeal.
18	Dated: August 28, 2012.
19	
20	
21	LAWRENCE K. KARLTON
22	SENIOR JUDGE UNITED STATES DISTRICT COURT
23	UNITED STATES DISTRICT COURT
24	
25	
26	
27	
28	14769303v.2 3